

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**COUNCIL CHAMBERS**  
**WILLMAR MUNICIPAL UTILITIES BUILDING**  
**WILLMAR, MINNESOTA**

October 17, 2005  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Ron Christianson, Bruce DeBlieck, Denis Anderson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 7, Absent 2 – Council Members Doug Reese and Cindy Swenson were excused from the meeting.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Public Works Director Mel Odens, Community Education and Recreation Director Steve Brisendine, City Clerk Kevin Halliday, and City Planner Megan Sauer.

The Municipal Utilities Commission and Planning Commission minutes were removed from the Consent Agenda.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of October 3, Rice Hospital Board Minutes of October 5, Building Inspection Report for September, and Pioneerland Library Board Minutes of June 16, 2005. Council Member Anderson seconded the motion, which carried.

The Council discussed an item in the Municipal Utilities Commission Minutes of October 11, 2005, regarding service territory issues and recent Allied Power action as the result of MUC's election to serve the MinnWest Technology Campus (former Willmar Regional Treatment Center). Mayor Heitke recognized WMU General Manager Mike Nitchals and MUC Chair Bob Bonawitz. Mr. Nitchals provided a brief history of the WMU and KPC arrangements for serving the WRTC site and recent changes allowing for the WMU's service takeover following the announced sale of the site to MinnWest Technologies. Commission Chair Bonawitz talked about a recent action offering to cooperate with KPC on an expansion of Allied Power services and extension to the existing service territory agreement between the MUC and KPC. Those general terms and conditions were included in the resolution being considered by the Council. Following discussion, Council Member Gardner moved to table Resolution #55. The motion died for the lack of a second. Council Member DeBlieck then moved to approve the Municipal Utilities Commission Minutes of October 11, 2005, with Council Member Dokken seconding the motion, which carried.

The Council discussed the Planning Commission item regarding the Valley Brook Estates Second Addition Preliminary Plat and access to the property. Council Member Anderson moved to refer ingress and egress to Valley Brook Estates to the Public Works/Safety Committee for consideration. Council Member DeBlieck seconded the motion, which carried. The October 12, 2005, Planning Commission Minutes were approved and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Christianson, and carried.

Mayor Heitke recognized Mr. Ed Van Der Heiden who had signed up to address the City Council during its scheduled Open Forum. Mr. Van Der Heiden requested the Council consider review of the Valley Brook original plat.

The Public Works/Safety Committee Report for October 11, 2005, was presented to the Mayor and Council by Council Member Christianson. There were four items for Council consideration.

Item No. 1 Sam Lahanis, Donohue and Associates, gave a brief presentation to update the Committee on the progress of the WWTP Relocation Project, and noted a draft funding memorandum has been completed outlining the process and funding applications. Donohue has also developed an information mailer, which will be sent to stakeholders notifying them of a public meeting on October 27, 2005, at the Willmar Municipal Utilities Auditorium. This matter was for information only.

Item No. 2 The Committee reviewed the September 20, 2005, Airport Commission Minutes, at which time they discussed a written request from Willmar Air Service and a verbal request from Duininck Bros. Inc. to construct additional hangars. The requests also ask the City to fund a 20-foot wide taxi lane from the edge of the apron for a length of 250 feet to allow access to the main ramp area. The tenant is responsible for the connection to the taxi lane and also installation of their utilities.

Following discussion, the Committee was recommending the Council approve the Airport Commission's recommendation to provide a 20-foot wide taxi lane with City funds which is to be determined by staff. Council Member Christianson moved to approve the recommendation of the Public Works/Safety Committee with Council Member Anderson seconding the motion, which carried.

Item No. 3 The Committee considered a proposal from Prairie Restorations, Inc. to maintain the wetland established northeast of the City brush site. This area was designated in 2003 as the Willmar Airport Wetland Mitigation/Banking site. The consulting engineer, HNTB is recommending entering into a contract with Prairie Restorations, Inc. of Watertown, MN. The proposal is for three years and includes site visits to work on the removal of the exotic species and release of the native seedlings.

The Committee was recommending the Council accept the proposal of Prairie Restorations, Inc. for a not-to-exceed amount of \$12,630.28 and authorize the Mayor and City Administrator to enter into an agreement on behalf of the City. It was noted financial considerations for this project, along with unexpected ditch assessments, will be forthcoming at year-end budget adjustments.

Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

#### RESOLUTION NO. 1

Whereas the City of Willmar desires to retain a consultant to provide professional engineering services to maintain the wetland established northeast of the City brush site mitigated because of the new municipal airport; and

Whereas a proposal has been made by, and an agreement prepared to retain, the firm of Prairie Restorations, Inc. of Watertown, Minnesota in a not to exceed amount of \$12,630.28 and that said costs be charged to the Willmar Airport Budget.

Now therefore be it resolved by the City Council of the City of Willmar that said agreement

be approved and that the Mayor and City Administrator be authorized to execute the agreement on behalf of the City.

Dated this 17<sup>th</sup> day of October, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 Staff presented to the Committee a status report of the construction projects. The signals at the intersection of Lakeland Drive and Willmar Avenue SE will be activated north and southbound the week of October 17, 2005. Also discussion was held pertaining to light pollution and the design of street lights. This matter was for information only.

The Public Works/Safety Committee Report for October 11, 2005, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Christianson, seconded by Council Member Anderson, and carried.

The Finance Committee Report for October 12, 2005, was presented to the Mayor and Council by Council Member Anderson. There were eight items for Council consideration.

Item No. 1 Mr. Charles Oaks from West Central Industries came before the Committee to request the City to act as a conduit for the issuance of (\$1,100,000) tax-exempt financing to cover half of the cost for the new kitchen/warehouse addition to their facilities. The improvements will address growth in the Meals-on-Wheels program. In order for them to receive the tax-exempt financing the City would issue the debt, but West Central will be responsible for the repayment of debt.

The Committee was recommending the Council pass a resolution to consider the tax-exempt financing request be introduced, calling for a public hearing on November 7, 2005. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

#### RESOLUTION NO. 2

##### RECITING A PROPOSAL FOR A COMMERCIAL DEVELOPMENT PROJECT AND CALLING A PUBLIC HEARING

(For Resolution in its entirety, see Council proceedings dated  
October 17, 2005, located in the City Clerk's Office)

Item No. 2 The Committee discussed with Bev Dougherty from the Willmar Design Team a request to help fund the Design Team's cost for the remainder of 2005. Staff explained that the \$12,385 was an estimate to cover rent and other operating expenses.

The Committee was recommending the Council approve of the Design Team funding request and direct staff to compile funding options. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Gardner seconding the

motion, which carried.

Item No. 3 The Committee considered a request from City Attorney Ronning to increase his budget by the amount of revenue generated from seized assets sold at the last City Auction. The amount required to be returned to the prosecuting attorney amounted to \$1,900.

The Committee was recommending the Council pass a resolution to increase the City Attorney's Budget by \$1,900. Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Dokken, and carried on a roll call vote of Ayes 6, Noes 0.

### RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the General Fund Budget as follows:

Increase:	City Attorney – General Supplies	\$1,900.00
Increase:	Miscellaneous Revenue	\$1,900.00

Dated this 17<sup>th</sup> day of October, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee acknowledged receipt of Federal grant funds in the amount of \$112,482 awarded to the Willmar Fire Department and will be used for equipment replacement (radios and pagers) and additional Firefighter training.

The Committee was recommending the Council introduce a resolution to increase the Fire Department Grant Budget as proposed. Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Gardner, and approved on a roll call vote of Ayes 6, Noes 0.

### RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the General Fund Budget as follows:

Increase:	Fire Department Grant Budget Revenue	\$ 112,482.00
Increase:	Fire Department Grant Expenditures	\$ 112,482.00

Dated this 17<sup>th</sup> day of October, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 The Committee reviewed an Executive Summary from staff explaining that a Currency Exchange License application was received from Wal-Mart Stores, Inc. and that Minnesota Statutes require the governing body hold a public hearing to consider the matter.

The Committee was recommending the Council set a public hearing for November 7, 2005. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Dokken seconding the motion, which carried.

Item No. 6 The Committee reviewed a request from staff to send two firefighters to Louisiana to assist with Hurricane Katrina relief efforts. The firefighters will be deployed the weekend of October 15, 2005, for a 16-day period, working 16 hours per day. No apparatus will be sent as was originally planned. Costs are to be reimbursed as outlined in the EMAC agreement with the State of Louisiana. Since this will occur before the City Council meeting, it was the consensus of the group to grant the request. This matter was for information only.

Item No. 7 The Committee reviewed a list of future agenda items including the City's Assessment Policy, Senior Citizens deferment and funding for a forensic computer. This matter was for information only.

Item No. 8 The Committee acknowledged receipt of the August Pioneerland Library and Rice Financial reports and the September CVB and WRAC-8 Financial reports. This matter was for information only.

The Finance Committee Report for October 12, 2005, upon motion by Council Member Anderson, seconded by Council Member Dokken, and carried.

City Planner Sauer presented to the Mayor and Council the Preliminary Plat of Valley Brook Estates Second Addition, a three-lot replat of a portion Valley Brook Estates proposed by Michael Cruze. The replat is being done to realign 36<sup>th</sup> Street NW which is currently platted to dead-end instead connect with 4<sup>th</sup> Avenue NW. Valley Brook Estates was platted in 1979, but only partially built. The developers intend to improve the remainder of the plat, and the Planning Commission approved the preliminary plat. Council Member Anderson moved to approve the Preliminary Plat of Valley Brook Estates Second Addition. Council Member DeBlieck seconded the motion, which carried.

City Planner Sauer informed the Mayor and Council that a portion of 36<sup>th</sup> Street NW is being requested to be vacated to reroute the street to 4<sup>th</sup> Avenue NW. The street is currently platted to dead-end into a field, and the reroute is to allow better traffic distribution and safety. The new planned layout of the street is being dedicated in the replatting of that portion of the plat. Following discussion, Resolution No. 5 was introduced by Council Member Fagerlie, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 6, Noes 0.

#### RESOLUTION NO. 5

#### RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER THE VACATION OF A PORTION OF PUBLIC STREET

